

machinery or equipment for operating or handling scoops or dredges or to have on board any vessel a scoop, scrape or dredge, with intent to affix the same to said vessel for use in taking or catching oysters, without having first obtained a license to take or catch oysters with a scoop or dredge as aforesaid, and the fact of having such scoop, dredge or scrape on board of any vessel shall be *prima facie* evidence of an intent to use the same contrary to this section.

The section of act of 1886, ch. 296, providing that having dredging instruments on board should be *prima facie* evidence of an intention to use vessel contrary to law, held constitutional and valid. *Dize v. Lloyd*, 36 Fed. 652.

An. Code, sec. 23. 1904, sec. 22. 1894, ch. 380, sec. 21. 1896, ch. 418.

25. The owner of such boat shall make oath before the comptroller or his clerk, or if the owner be a resident of Baltimore city he may make oath before the clerk of the court of common pleas, or if a resident of county he may make oath before the clerk of the circuit court for said county, at the same time exhibiting his custom-house license to said officer before whom he makes the oath that he is the *bona fide* owner of such boat described in the license; that he has been a resident of the State for the time hereinbefore prescribed; that there is no lien on said boat held by a non-resident, directly or indirectly, and that the said boat is not held and shall not be knowingly used with an intention to violate or evade provisions of this article, and such applicant shall produce before the comptroller at the time of making such application the certificate of the taking of such oath and the gross custom-house tonnage, which gross tonnage the owner shall swear to, and shall further make oath that before the measurement of said vessel by the custom-house officers the said vessel was not dunnaged so as to evade the just and proper measurement of tonnage of said vessel with a view of evading a proper and just sum for the licensing of said vessel. The master of such boat shall also make oath before the comptroller or his clerk, or if a resident of Baltimore city before the clerk of the court of common pleas, or before the clerk of the circuit court for the county wherein he may reside, that he has been a resident of the State for the twelve months next preceding the time of taking such oath. Any one violating this section shall be deemed guilty of a misdemeanor and upon conviction before a judge of the criminal court of Baltimore city or a judge of the circuit court for the county, or a justice of the peace having jurisdiction, as the case may be, shall be fined a sum not less than fifty dollars nor more than three hundred dollars, or be imprisoned in the house of correction for a period of not less than three months nor more than six months, or both, in the discretion of the judge or justice of the peace.

An. Code, sec. 24. 1904, sec. 23. 1894, ch. 380, sec. 22. 1900, ch. 380. 1908, ch. 104. 1910, ch. 413, sec. 23 (p. 207). 1912, ch. 804. 1914, ch. 691.

26. After granting such license, the Comptroller shall receive two dollars and eighty-five cents for every gross ton the boat shall measure, except boats of less than four tons gross measurement, when the license shall be eight dollars for each of said boats, and where any license issued by authority of any County, the Clerk of the Circuit Court for the County shall